



05-27-03
SEQ # 2
1636/\$
1,2,4-12, 14-30

hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 244 879 345 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date shown below.

Dated: May 23, 2003

Signature: *Jane Remillard*
(Jane E. Remillard)

Docket No.: UFJ-002US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Harry S. Nick, et al

Application No.: 09/856766

Group Art Unit: 1636

Filed: August 28, 2001

Examiner: B. Loeb

For: MANGANESE SUPEROXIDE DISMUTASE
REGULATORY ELEMENTS AND USES
THEREFORE

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed March 26, 2003 (Paper No. 10). In particular, the Examiner has required restriction among the following inventions:

Group I, claims 1, 3-12, 13 and 15-30 in part, drawn to an isolated polynucleotide comprising a manganese superoxide dismutase regulatory element of SEQ ID No. 1.

Group II, claims 1, 2, 4-12 and 14-30 in part, drawn to an isolated polynucleotide comprising a manganese superoxide dismutase regulatory element of SEQ ID No. 2.

Group III, claims 3, 4, 6-12 and 15 in part, drawn to an isolated polynucleotide comprising a manganese superoxide dismutase regulatory element of SEQ ID No. 5.

Accordingly, Applicants hereby elect Group II, claims 1, 2, 4-12 and 14-30 in part, for continued examination.

Applicants believe that no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. UFJ-002US from which the undersigned is authorized to draw.

Dated: May 23, 2003

Respectfully submitted,

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